

REMARKS

After entry of this Amendment, claims 1-4, 8-10, 12-23, and 25-37 are pending in the application. Claims 1-4, 8-10, 12-19, 28, 36, and 37 are indicated as being allowable. Claims 20, 25, 29, and 35 have been amended to more particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claims 25 and 35 have been amended into independent form, including all of the limitations of their respective base claims and any intervening claims. Reconsideration of the application as amended is requested.

In the Office Action dated August 31, 2005, claims 20, 22, 27, and 29-34 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Balolia (U.S. Patent No. 6,095, 533). Claim 20 has been amended to more particularly point out and distinctly claim that the stop member engages a distal end of the elongate structural member. In contrast, Balolia does not anticipate, teach, or suggest the claimed combination of elements as amended. The stop members (50a-d) in Balolia are shown engaging a hole located in side members (42-48), rather than an end (84, 86) of the side member. Reconsideration of the Examiner's rejection of claims 20, 22, 27, and 29-34 as being anticipated by Balolia is respectfully requested.

Claim 23 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Balolia (U.S. Patent No. 6,095, 533). Claim 23 depends indirectly from claim 20, and thus, the rejection is considered moot in light of the amendment to base claim 20. Accordingly, it is respectfully requested that the instant rejection be withdrawn.

Claims 21, 25, 26 and 35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Balolia (U.S. Patent No. 6,095, 533) in view of Lutz (DE 38 15 990). Claims 21 and 26 depend directly or indirectly from claim 20, and thus, their rejection is considered moot in light of the amendment to base claim 20. Claims 25 and 35 have been amended into independent form to include of all the limitations of their respective base claim. Claims 25 and 35 have also been amended to more particularly point out and distinctly claim that one side of the raised wall

defines a first region for receiving a first stackable member, and an opposite side of the wall defines a second region for receiving a second stackable member. It is submitted that neither Balolia nor Lutz, taken singularly or in any permissible combination, anticipate, teach, or suggest the claimed combination of elements. Upstanding wall (8) in Lutz is shown positioned along an outer periphery of block (9), and consequently, only one side of wall (8) in Lutz can be considered to define a region for receiving a stackable member. Since there is no provision for supporting a stackable member along an opposite side of upstanding wall (8), the opposite side does not define a second region for receiving a second stackable member.

Accordingly, it is respectfully requested that the instant rejection of claims 21, 25, 26 and 35, as being unpatentable over Balolia and Lutz, be reconsidered and withdrawn.

This after final amendment: (1) does not raise new issues that would require further consideration and/or search; (2) does not raise the issue of new matter, since the proposed amendments have support in the originally filed application, including the specification, claims and drawings; (3) does places the application in better form for appeal by materially reducing and/or simplifying the issues for appeal; and/or (4) does not present additional claims without cancelling a corresponding number of finally rejected claims.

It is respectfully submitted that this Amendment traverses and overcomes all of the Examiner's objections and rejections to the application as originally filed. It is further submitted that this Amendment has antecedent basis in the application as originally filed, including the specification, claims and drawings, and that this Amendment does not add any new subject matter to the application. Reconsideration of the application as amended is requested. It is respectfully submitted that this Amendment places the application in suitable condition for allowance; notice of which is requested.

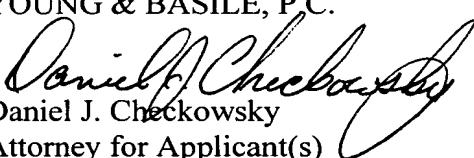
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If the Examiner feels that prosecution of the present application can be expedited by way of an Examiner's amendment, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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